

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2011 OCT -4 A 9 081

LAURA AKERS,

*

CLERK'S OFFICE
AT BALTIMORE

Plaintiff

*

BY DEPUTY

v.

*

CIVIL NO. JKB-11-2490

ANNE ARUNDEL CNTY. DEP'T OF
SOCIAL SERVICES *et al.*,

*

*

Defendants

* * * * *

MEMORANDUM

Plaintiff Laura Akers filed a *pro se* complaint against Defendants and claimed her case presented a federal question. (Compl., ECF No. 1.) Specifically, she invokes this Court's jurisdiction under the federal Freedom of Information Act ("FOIA"), 5 U.S.C. § 551 *et seq.* Akers alleges the Anne Arundel County Department of Social Services ("AADSS") fabricated evidence against her in connection with a child custody matter; further, she states AADSS failed to protect her daughter's constitutional rights, improperly investigated and closed reports about her daughter, and failed to notify the presiding state trial court judge of an individual's criminal history. She seeks two million dollars in damages and an injunction ordering any illegal, fraudulent, and improper reports about her be destroyed.

Her motion for leave to proceed *in forma pauperis* will be granted and her complaint will be dismissed without prejudice because of an absence of subject-matter jurisdiction. The FOIA only applies to agencies of the federal government. Maryland has a similar Public Information Act, Md. Code Ann., State Gov't § 10-611 *et seq.* (LexisNexis 2009), but whether it would be applicable to Akers's particular circumstances is not for this Court to say. She can decide

whether to rely upon that law in any state court proceeding she may initiate in the future. The Court has reviewed all of the allegations in her complaint and the attachment thereto and can find no basis for federal court jurisdiction.¹ Accordingly, a separate order will be entered dismissing the case.

DATED this 3 day of October, 2011.

BY THE COURT:

James K. Bredar
James K. Bredar
United States District Judge

¹ This lawsuit is related to the recently filed and dismissed case of *Akers v. Wallingsford*, Civ. No. JKB-11-2239 (D. Md. 2011).